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July 20, 2005

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**Art Unit 1645**

Re: U.S. Utility Patent Application  
Application No. 10/717,615; Filed: November 21, 2003  
For: **Attenuated Pestiviruses**  
Inventor: Gregor Meyers  
Our Ref: 0652.1900001/EKS/J-H

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of **\$120.00** to cover the one month extension fee;
2. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
3. Second Preliminary Amendment Under 37 C.F.R. § 1.115;
4. Copy of the Notice to Comply with Requirements for Patent Applications containing Nucleotide and/or Amino Acid Sequence Disclosure; and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
July 20, 2005  
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

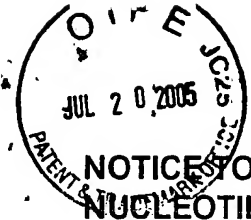
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EKS/aw  
Enclosures

421996\_1.DOC



Application No.: **10/717,615**

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a ☐Sequence Listing☐ as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the ☐Sequence Listing☐ in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the ☐Sequence Listing☐ in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up ☐Raw Sequence Listing☐.
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the ☐Sequence Listing☐ is not the same as the computer readable form of the ☐Sequence Listing☐ as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: the specification and Figure 1 contain sequences without the requisite sequence identifiers.

**Applicant Must Provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the ☐Sequence Listing☐.
- ☐ An initial or substitute paper copy of the ☐Sequence Listing☐, as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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